Previous references

1915-16
(SOA)

File No. 63-15

Serial Nos. 25926

Later references.

Preserve Pay 24/4/16

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 25926

Part B for August 1916

SUBJECT.

Amendment of certain Articles of the Civil Service Regulations relating to the concessions that may be granted to an officer recalled from leave, so as to bring them on a line with the corresponding rules in the British Indian civil service Regulations

S.C.

Attached; vide list No 3307 15-8-16.

W D 1351—GPB—20,000—13-12-15

Jr. Partnership receipt 6-11-1916.

1915-16

GENERAL AND REVENUE SECRETARIAT.

(SoA)

NOTES.

File No. 63-15

FILE HEADING.

Amendment of Articles 129, 130, and 624 of the Mysore Service Regulations re recalled from leave, so as to bring them on a line with Sections 1997 & 1127, Civil Service Regulations.

From

No.	Dated	Received
Diary No.	Enclos. / Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P.J.O

Final Note by the First Member of Council.

Subject:— Amendment of Articles I29, I30, and 62I of the Mysore Service Regulations re recalling from leave, so as to bring them on a line with Sections I99 and II27, Civil Service Regulations.

The general rule contained in Article I50 IV Mysore Service Regulation, that combined - leave should not be for less than six months, is - not applicable to cases where an officer is recalled from leave at the instance of superior authority. This is clearly laid down in Articles I99 and 233 of the British Indian Civil Service Regulations, while a corresponding provision in our Regulations is - wanting.

2. This defect has come to notice in the case of an official recalled from leave before the expiry of six months and the Financial Department propose to amend the rules in Articles I29, I30 and 62I Mysore Service Regulations, so as to remove it and bring the rules relating to recall from leave on a line with the corresponding British Indian rules in other respects as well.

3. I agree that the alterations proposed in Articles I29, I30 and I50 Mysore Service Regulations may be made but consider that the suggested alteration in Article 62I which results in travelling allowance being denied when the leave cancelled is less than a month, should not be sanctioned.

4. The Second Member has recorded a remark ' approved ', but it is not clear whether he has

Page 6 of file notes

Pg 5 of 8

has approved of the change in Article 621 also.

H. Manjrekar

First Member of Council.

21/3/16
Dated,

No. C. 283-

26. 2. 1916.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause viii of the Schedule).

Amendment of Article 129, 130 and 621 of the Mysore Service Regulations re recalling from leave, so as to bring them on a line with Sections 199 and 1127, Civil Service Regulations.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

26th February 1916.

Secretary to Government.

Extraordinary Member of Council.

First Member of Council. Seen by the First Member of Council.

Second Member of Council. Seen by the Second Member

WD 2012—GPB—1 000—9-2-16

Proceedings of the Government of His Highness the Maharaja of Mysore.

CNA 63-15 25.

Read:-

General Secretary's Office Memorandum, No. G 1303-G.M. -- 3-15-10, dated the 30th July 1915, appointing T. Venkatasubbaiya, Clerk, District Office, Shimoga(who was on combined leave for 6 months from 2nd June 1915) as temporary clerk on Rs 30 per mensem in the General and Revenue Secretariat, and directing him to join his new appointment forthwith.

2. Objection Memo No. #8 Qr. 34, dated the 26th August 1915 from the Comptroller to the Government of Mysore on the supplemental pay bill for July 1915, stating that as the Clerk was on combined leave, he cannot be permitted to join duty -- before the expiry of 6 months, under Article 150 (IV) of the Mysore Service Regulations.

Order thereon No:- G 4355 (from 3-15) - 28

Dated, Bangalore the 27th September 1915.

Venkatasubbaiah in question was recalled to duty from -- leave under Article 129, Mysore Service Regulations.

The limit of 6 months imposed by clause (iv) of Article 150, Mysore Service Regulations does not apply to his case. Separate orders will issue explaining the scope of Article - 129. The bill under objection may be audited and passed on for payment.

(Sd) D. M. Narasinga Rao

Secretary to Government,

General Department.

To

The Comptroller to the Government of Mysore (through Branch II) returning the bill.

No: G 4355-(a) dt 27/9/15

Copy forwarded to Br. II for favour of further action.

C N C 4.

B.R. For Genl. Secy. to Govt.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

GENERAL AND REVENUE SECRETARIAT,

(FINANCIAL BRANCH)

No. Fl..... *Dated Bangalore,.....19* .

Registered and communicated to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.

By Order

For Financial Secretary.

From the Comptroller to the Government of Mysore. Memo no: Ad: Qr: 36 & 26/28. 8.1915.

Returns the supplemental bill for Rs 1915 on behalf this clerk unaudited, on the ground that he cannot be permitted to join duty before the expiry of six months - Art 150 (v) of the M.S.R.

From the Exc. of the clerk attached to the bill, it is seen that the clerk availed himself of 50 days out of the 6 months Commuted leave (Q. leave + leave on P.A.).

As leave on private affairs cannot be taken in instalments, the clerk foregoes his claim to the balance of that kind of leave (note 1 to Art. 202 of M.S.R.).

Art. 141 enables the authority who grants leave to permit the absentee to return to duty before the end of long leave.

The objection of the Audit Office seems therefore untenable.

If deemed fit, the file may be sent to Branch II for favor of opinion & advice.

Submitted for orders with the file relating to his appointment in this Office.

(Initd) S.N.
3-9-15.

To Branch II for favor of opinion.

(Initd:) B.N.
3/9.

P.T.O.

was on Combined leave and approached him with the direction 'to join at once' This is a recall to duty before the expiry of the leave and the Official has to be regarded as on duty from the date on which he starts for Baircalee. (Vide note to art. 5 M.S.R. The balance of the Combined leave is at his credit to be availed of when he can be spared from duty. (Vide art 129. M.S.R.)

Subd.

(Initd) R.R.

(Initd) B.V.N.

4/9/15.

Though it is not definitely stated in art 150 M.S.R (or article 129 M.S.R) that the minimum limit of 6 months imposed by clause IV there of is not applicable in cases of recall from leave, yet a look at the Correspondence 233 to 199 of the C.S. R makes it clear that the limit of six months is not to be enforced in Cases of recall from leave – The Comptroller may be informed accordingly and if appropriate steps will be taken to get articles 150(IV), 129 of the M.S.R. Suitably altered so as to bring them on a line with the British Indian rules and put an end to the doubt felt by the Comptroller.

A

(Initd) S.S.

16/9.

Yes.

(Initd) S.C.
16/9

Each section may inform Comptroller and send a Copy of order to this Branch.

Br: To will take an extract from the note & take steps as indicated in A above. (Initd) S.S.

G. R. S. 12]

General and Revenue Secretariat. | File No. 63 of 191 5

H. D. 939.

Serial No.

1) Draft subd.
15-10-15.
2) Please see corrections & additions made in the draft. Article 130 will have to go and article 621 will also have to be modified on the lines of the C. S. R. article. Put up a revised draft
18/10/15

2) Draft subd.
15.11.15.
4) A & C ships with MSR are proposed ~~corresponding~~ to bring the MSR on a line with the C. S. R. articles 199 & 1127
19/11
Reserve)

69

5) Vide alterations - Cases of recall from leave out of India will be rare and maybe kept to be decided in each case by Govt.
26/11
1st Member)

6) Why shd article 130 be removed as such & inserted as it is of art 129?
29/11/15

7) It is according to the British Indian article. The present article 130 is only one of the instances that are shown of one who is compulsorily recalled
30/11
Reserve)

8)

NOTE—Contn. sheet.

GPB—20,000—30-6-15

General and Revenue Secretariat.

File No. 43 of 191 .

Serial No.

9) Art. 129. 130 & 130A.

10) The alterations proposed may be made.

11) The alterations in Art. 621 introduce an important change. Why should not offr recalled get his t.a. if the leave cancelled is less than a month? Is this change in accordance with rule in B.R. India or what has suggested it?

8/1/16

12) The change in article 621 is based on the corresponding British Indian article 1127.

(1st member) 11.1.16

13) I am not for this change

23/1/16

3885
26.1.16.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat. | S14 File No. 63 of 1915.

Serial No.

14) May be circulated for disposal by Circulation

22/2/16

(Secretary)

15) Commit Secy

23/2/16

16) Approved

Secy

1/3

Circulation Completed 4/3/16 D. S. R. and Min. Advs.

17) Draft final note is submitted.

In the (Secretary's) draft A & C Ships portion, the amendment to article 150 had been omitted by oversight. This has now been entered. It is of a merely verbal character.

18) If the view that tiffin shares be withheld when the leave cancelled is less than a month, is not upheld — as per note of the 1st member — the portions in square bracket in pencil in article 621 in the draft A & C Ships will have to be omitted.

1st Member)

21.3.16

19) Final note signed by the First Member is put up

21/3/16

20)

NOTE—Contd. sheet.

GPP—10,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | S/A File No. 63 of 1915.

Serial No.

1) Draft subⁿ & note subd.
PMz Qtr.
23.3.16
Fesen)

2) Dewan)

1484 / 5116 / 28.3.16

2) I agree with the views of the Financial Secretary. A revised draft note may be kindly submitted.

3.7.16.

3) Draft A & C slips duly revised accordingly is subd. The portions enclosed in square brackets in pencil in the original draft have been embodied in the revised draft.
PMz Qtr.
15.7.16.

Draft submission note is already in the file (Part not revised D.S.N.)

4) Revised D.S.N. subd.
PMz
24.7.16.

Revised D.S.N and Corrected A & C slips Submitted for approval.

491 / 24.7.16

5) ~~Dewan~~ FCSecy)

Dewan)

NOTE—Contn. sheet.

Submitted to His Highness.

I herewith submit a 'Final Note' by the First Member Mr. H.V. Nanjundayya regarding certain alterations proposed by the Financial Department in the articles of the Mysore Service Regulations relating to the concessions to be granted to an officer recalled from leave, to bring them on a line with the corresponding rules in the British Indian Civil Service Regulations.

Copy of office note

2. The First Member agreed to all the alterations suggested by the Financial Department with the exception of one in Article 621, Mysore Service Regulations, resulting in the denial of travelling allowance when the leave cancelled is less than a month.

3. I however consider that all the amendments, based on the British Civil Service Regulations, may be accepted.

Draft for approval

4. The draft A & C slip put up accordingly may be graciously approved.

M. Visvesvaraya –
5th Aug 1916 –

872

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Amendment of certain articles of the Mysore Service Regulations relating to the concessions to be granted to an officer recalled from leave, so as to bring them on a line with the corresponding rules in the British Indian Civil Service Regulations.

152

Order.

~~KRW~~
9/8/16

Lindsay
10.8.16

Approved; please see Dist no. 33 D/18.8.16

G. R. S. 12]

General and Revenue Secretariat.

SHA File No. 63 of 1915.

Serial No.	
26	Issues Advt, vide list No. 33 dt 18-8-16, 4 in Engl.

NOTE—Contn. sheet.

GPB —70,000—17-12-15

G. R. S. 26]

File No. 69-73

Serial No. 26

Diary No. of letter replied to 938.

No.

General and Revenue Secretariat

(SDA)

, the *191* .

~~To~~ A and b.

to the M. S. Regulations

Date of issue

Signed by

Arts:	Page
129 & 130.	44

Substitute the following for art: 129, ~~and~~ omit art 130, and number art: 130 A as 130

An officer recalled to duty before the expiry of leave of any kind in India is entitled, if the return to duty is optional, to no con-cession save relaxation of the rule in art: 150 (IV). If

over.

the

SUBJECT.

VIII/16 K 26

The return to duty is compulsory
he is entitled (a) to take
the balance of his leave,
together with any leave
which was admissible at
the time of recall or for which
he has subsequently become
eligible as soon as he can
be spared from duty (b) to
the concessions in art: 621
subject to the conditions
and limitations specified
therein and (c) (if the recall
is from leave other than privilege
leave) to be treated as on
duty from the date on which
he starts for the station to
which he is ordered but
he is entitled until he
rejoins his appointment
to draw leave allowances.
Note (1) All orders recalling
an officer before the expiry
of his leave should distinctly

List of enclosures.

Copied by

Examined by

GPB—25,000—8-8-11

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

to duty is optional or compulsory.

Note 2: The cases of recall to duty of officers from leave out of India will be dealt with by Govt. individually on their merits

Art: (Memo no. 33 dt 18-8-16) Page 150 49.

After the word "must" in clause IV under this art: insert "except in cases falling under art: 129."

(Memo no. 33 dt 18-8-16)

Art: Page 621. 218.

Substitute the following for this art:-

Recall from leave

An officer recalled to duty before the expiry of leave in India is entitled, if the return to duty is compulsory (See art: 129)

and

one of the leave is curtailed by one month or more, to travelling allce for the journey from the place at which the order of recall reaches him. If the amount of the leave curtailed is less than one month the foregoing privilege may be given or withheld at the discretion of the authority recalling the officer.

Note. Cases of recall from leave out of India will be dealt with by Govt individually on their merits

(Govt of India no. 33 dy 18.8.16)

H. Secretary 25/7

he 24/7